

# HOUSE BILL REPORT

## SHB 1645

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**As Reported By House Committee On:**  
Transportation

**Title:** An act relating to transportation planning.

**Brief Description:** Enhancing transportation planning.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives K. Schmidt, R. Fisher and Mitchell).

**Brief History:**

**Committee Activity:**

Transportation: 1/17/96 [DP2S].

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 20 members: Representatives K. Schmidt, Chairman; Benton, Vice Chairman; Mitchell, Vice Chairman; R. Fisher, Ranking Minority Member; Hatfield, Assistant Ranking Minority Member; Backlund; Blanton; Brown; Cairnes; Elliot; Hankins; Horn; Johnson; McMahan; Ogden; Robertson; Romero; D. Schmidt; Scott and Sterk.

**Staff:** Jennifer Joly (786-7305).

**Background:** A number of unanswered questions exist regarding the treatment of state transportation facilities in city and county comprehensive plans and development regulations required by the state's Growth Management Act (GMA).

Linking transportation and land use decisions is a goal of the GMA, but how to accomplish this for state facilities is unclear. For example, one of the goals of the GMA is to "encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."

The measurement commonly used in transportation to determine adequacy is the level of service (LOS) standard. The LOS is an engineering formula that measures the flow of traffic on a particular facility. An LOS standard "A" means traffic is free flowing; an LOS standard "F" means traffic is at a standstill.

Cities and counties planning under the GMA are required to develop level of service standards for all "arterials and transit routes." Some local jurisdictions have interpreted "arterial" to include state-owned facilities while others have not.

Determining the level of service standard establishes the benchmark for determining whether or not the transportation facilities are adequate to support development.

The "concurrency" provision of the GMA states in part: ". . . local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development."

The 1994 Legislature approved a study to address how state transportation facilities should be treated in local comprehensive plans. Representatives from cities; counties; ports; regional transportation planning organizations; the Department of Transportation; the Department of Community, Trade, and Economic Development; the private sector; and the Legislative Transportation Committee participated. The study, with recommendations, was completed in January 1995.

**Summary of Second Substitute Bill:** By December 31, 1998, cities and counties planning under the Growth Management Act (GMA) are required to include state-owned transportation facilities in the transportation element of their comprehensive plans.

The Department of Transportation (DOT), in consultation with local governments, is authorized to set level of service (LOS) standards for state highways and state ferry routes of statewide significance. Setting LOS standards for all other state-owned transportation facilities will continue to be performed by regional transportation planning organizations (RTPOs), jointly with DOT (current law).

RTPOs are required to work with cities, counties, transit agencies, the DOT and others to develop LOS standards or alternative transportation performance measures.

Transportation facilities of statewide significance are set forth. These include the interstate; interregional state principal arterials, including ferry connections that serve statewide travel; intercity passenger rail services; intercity high-speed ground transportation; major passenger intermodal terminals, excluding all airport facilities and services; the freight railroad system; the Columbia/Snake navigable river system; marine port facilities and services that are related solely to marine activities affecting international and interstate trade; and high-capacity transportation systems.

The Transportation Commission must designate state highways of statewide significance and shall submit a list of such facilities for adoption by the 1997 Legislature.

Transportation facilities of statewide significance are deemed essential public facilities under the GMA.

The Transportation Commission must give higher priority to correcting identified deficiencies on facilities of statewide significance.

**Second Substitute Bill Compared to Substitute Bill:** Airports are excluded from the bill as transportation facilities of statewide significance meriting treatment as "essential public facilities."

Provisions allowing aggrieved parties to appeal the adopted LOS standards to the growth management hearings boards are removed.

Amendments to the definition of "public facility" in the GMA are removed, thereby preventing an expansion of the class of facilities eligible for impact fees.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Second Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill represents a reasonable compromise between state and local governmental interests. Although, ultimately, the Department of Transportation would like to see concurrency on state transportation facilities because it would provide linkage between land use and transportation, the department recognizes that there are problems with concurrency, particularly in linking individual developments' impacts to freeways.

**Testimony Against:** None.

**Testified:** Charlie Howard, Department of Transportation; Stan Finkelstein, Association of Washington Cities; Eric Berger, County Road Administration Board; and Joe Savage, private transportation consultant.